

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

**3-05CV2321-N**

FERMIN RODRIGUEZ

§

VS.

§

CIVIL ACTION NO. 1:05cv497

DOUGLAS DRETKE

§

MEMORANDUM OPINION AND ORDER

Petitioner Fermin Rodriguez, an inmate confined at the Stiles Unit, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner brings this petition challenging the validity of a state court conviction obtained in Dallas County, Texas. The magistrate judge entered an order directing the Clerk to transfer this action to the United States District Court for the Northern District of Texas. Petitioner has filed objections to the transfer, asserting that jurisdiction is proper in the Eastern District.

Analysis


In accordance with 28 U.S.C. § 636(b)(1)(A), a judge of the court may reconsider any pretrial matter referred to a magistrate judge under subparagraph (A) where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law.

Having examined the allegations in petitioner's objections and the file in this action, the undersigned finds no support for petitioner's objections. Petitioner's grounds for review clearly

challenge the validity of his Dallas County conviction and, thus, should be transferred to such forum. It is therefore

**ORDERED** that petitioner's objections to the order of transfer are **OVERRULED**.

So **ORDERED** and **SIGNED** this 10 day of **November, 2005**.



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Ron Clark, United States District Judge